

January 3, 2022

Town Board Meeting to vote on the repeal and re-enactment of the Town of Little Creek Land Use Development Ordinance, meeting called to order at 6:41 pm by Mayor Glenn Gauvry. Three Commissioners were present, Judy Hegman, Theresa May and Penny Gentry and 8 townspeople, Susan Werner, Joe Petrolius, Susan Freese, Tom Antonio, Clay Crommett, Carol Pauleo, Galaxy8715G (cell phone), Doug Hegman.

Purpose of meeting is for the Town to pass the Town's updated Land Development Ordinance. Meeting open to the public and proper notice has been given as required by law. It is not a public meeting since the public comment periods have passed. The Land Development Ordinance made available to the public on October 22 with a public hearing to be held December 2. The hearing was held and the public hearing comment period was extended until December 20 and three written comments were received from the public and one institutional comment from the Little Creek Volunteer Fire Company. Appreciate time and effort put in these public comments we received they only represent an individual point of view, therefore with the exception of the grammatical error pointed out on page 16, Article 2, where the term Little Creek is used instead of the correct term Little River, the Town Council feels that these comments should be more thoroughly explored over the coming year at which time items that are determined to be keeping in the intent of the Land Development Ordinance can be revised accordingly. Received one institutional comment from the Little Creek Volunteer Fire Company commented on 11 sections and for all but one of those sections simply asked to be exempted from the Section in its entirety, no explanation was given as to why. From a legal point of view if the Town Council were to grant such exemptions without cause it would set the precedence for any developer, residential, institutional or agricultural to ask for similar exemptions without cause in the future and the Town would be hard pressed to deny them since we would have already set the precedence that this practice was permissible, therefore the Town Council feels that once the Little Creek Volunteer Fire Company has developed their plan for their exemption they can present it to the Town Council in the traditional manner along with suggestions what may need to be adjusted in the LDO to accommodate the project, which can be addressed at that time. Also received one comment from our commercial sector, Joe Petrilous, Little Creek Grill, has asked that the new LDO be passed as written at the Town Councils earliest convenience. Motion made by Penny to pass the Land Use and Development Ordinance as it is written, with a minor change to the wording on page 16, Article 2, to correct the name from Little Creek to Little River, seconded by Judy. Theresa had a question, in voting Ordinance in as is, that in the future there are things that can be revisited, that is correct. As with the old document, over that past years we have made a number of changes to it, these are living documents, not etched in stone and none of them the old or new one is a perfect document. It is as good as we can make it at the time but it not always going to reflect a new moment in time, so when the Town Council feels that there is issues that need to be addressed that aren't being addressed in the LDO or there are things that need to be added or deleted the Town Council at any time can have a discussion, have a committee, whatever they choose to do to resolve that matter and they can vote that change in. Changes can be made at any time that the which is why it was indicated that the appropriate venue for the

three individual comments, which only represent 3 points of view, not the Town, just the 3 people who had comments. Theresa also wanted to know if the Town Council met again, in her absence since she was out of Town, to discuss anything that was brought out by the residents in those comments that were left regarding the document. She was informed that no formal meeting held at all. What we had done, and she was copied to that regard, was Town's feeling, based on the comments that we did receive, that these things could be addressed in the future and that there was not sufficient consensus by the community for them to be addressed at this moment. Also felt that delaying the adoption of this LDO for that more extended process, which we already extended it once, was not a particularly wise thing to do in light of the development that we are expecting to occur in our economic zone. This answered her question and she is willing to vote yes to the current document with the understanding that it can be revisited and that it is a living document and in the future any changes that need to be made can be made and this is just the initial acceptance of the document. We can say that in the motion, but from a legal point of view what she is asking for is always the case. There is no LDO, in any community, that does not have the ability to change otherwise the Town would be using the codes of 1890 kind of thing, so all of these documents have the ability to be modified including our Town Charter. Some of them are more difficult, for example our Town Charter has to go all the way up to the State, Governor level on that, not absolutely certain on that. Charter has to be approved by the legislature, but it can be changed and ours needs some work on it as has been pointed out to us by our Solicitor that there are things we should be addressing in the future. Every document our Comprehensive Management Plan, not one document that we follow that cannot be modified and change. It would make her more comfortable if these words were used in the motion. So we move to pass the new LDO as written with a change in the word on page 16, Article 2, from the reference of Little Creek to Little River and with the understanding that this document can be readdressed and modified as needed as the Town faces situations that warrant it in the future. Have to modify the previous motion, Penny made a motion that the Town pass the new Land Use and Development Ordinance as written with the change on Page 16, Article 2 from Little Creek to Little River, since this is a typographical error, and with understanding the document can be changed at any time in the future if the Town sees the need to change or make amendments to any of the Sections or Articles in the document. Seconded by Theresa. Motion passed by unanimous vote. Motion carried. New Land Development Ordinance is passed. Glenn will see that it is properly uploaded to Town's official website and over the coming year, would encourage the Town Council to revisit the comments received during the review process and through public hearings, make adjustments to the document as they deem appropriate. Keep in mind that the primary purpose is to manage growth in keeping with the Town's Comprehensive Management Plan.

Meeting adjourned at 6:54 p.m. by Judy and seconded by Penny.

Respectfully submitted,

Penny J. Gentry